

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

JACOB LEWIS POWELL
COURTNEY LYNN POWELL

CASE NO: 08-70261-HDH-13
HEARING DATE: 11/14/2012
HEARING TIME: 10:00am

TRUSTEE'S MOTION TO DISMISS

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Trustee's Motion to Dismiss in accordance with 11 U.S.C. 1307(c), Rule 9014, Rule 1017(f)(1), and General Order 2010-01 and would respectively show unto to the Court as follows:

Motion to dismiss filed for failure to provide 2011 Tax Return per Order Compelling entered September 20, 2012.

WHEREFORE, the Trustee prays that this Chapter 13 case be dismissed per 11 U.S.C. 1307(c).

Respectfully submitted,

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

A HEARING WILL BE HELD 11/14/2012 AT 10:00am AT THE FOLLOWING ADDRESS:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE SHALL BE HELD AT THE SAME LOCATION AT 8:30am ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

JACOB LEWIS POWELL & COURTNEY LYNN POWELL 4721 WATERWAY DR N FORT WORTH TX 76137

RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVENUE STE 1120 MIAMI FL 33131

BARRETT DAFFIN FRAPPIER TURNER & ENGEL LLP 1900 ST JAMES PLACE SUITE 500 HOUSTON TX 77056

Date: 10/2/2012

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee